

## UNITED STATES DISTRICT COURT

for the  
District of New Mexico

United States of America

v.

Saul DOMINGO-Salvador

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Case No:

19mj3438

*Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date of September 29, 2019 in the county of Hidalgo in the State and District of New Mexico, the defendant violated 8 U.S.C. §1324(a)(1)(A)(ii)(Transporting), an offense described as follows:

knowing or in reckless disregard of the fact that seven illegal aliens, had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such aliens within the United States by means of transportation or otherwise, in furtherance of such violation of law.

This criminal complaint is based on these facts:

On September 29, 2019, Border Patrol Agent (BPA) One was notified by the Lordsburg, New Mexico Border Patrol Station (883) of a "be on the lookout" (BOLO) disseminated by the Deming, New Mexico Border Patrol Station dispatch (892), of a Black in color Ford F150 bearing California License Plate 85071F2. The report relayed to him via service radio consisted of a citizen's report of two individuals getting into a black Ford F150 displaying California License plate 85071F2 at the Separ Exit of Interstate 10 (I-10). The truck was last seen by the reporting party headed eastbound on I-10 from the Separ Exit. The bolo also consisted of information stating the truck may turn around and head westbound.

Continued on the attached sheet.



Complainant's signature

Justin Thurnherr, Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: October 1, 2019

City and state: Las Cruces, N.M.



Judge's signature

STEPHAN M. VIDMAR  
U.S. MAGISTRATE JUDGE

Printed name and title

CONTINUATION OF CRIMINAL COMPLAINT

STATE AND DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA

v.

Saul DOMINGO-Salvador

**Continuation of Statement of Facts:**

Agent One was headed westbound on I-10 at approximately the seven mile marker at the time of the BOLO. He continued westbound until he reached the Road Forks, New Mexico Exit at the five mile marker, at which point he utilized the exit to turn around and head eastbound in search of the reported vehicle. Agent One saw a black Ford F150 on the opposite side of the Interstate with what appeared to be a front license plate. He knew that California is one of the few states that utilizes both front and rear license plate, so he activated his rear emergency lights and turned around in the median. Agent One caught up to the black Ford F150 and noticed that it was indeed bearing the same license plate as had been reported. He then pulled alongside of the truck and noticed what appeared to be the tops of two individual's heads near the top of the backseat. They were trying to lower themselves below the window line. They were not sitting on the back seat but were trying to crouch down in the floorboard. This is consistent with behavior displayed by subjects attempting to evade arrest by concealing themselves out of view of law enforcement. At this time Agent One slowed down and got behind the truck. He called for any other agents that might be on I-10 near Road Forks. Agent Two answered and stated he was near Road Forks. Agent One radioed Agent Two with his location, which was approximately one mile east of the Road Forks, New Mexico Exit. As Agent One passed the Road Forks Exit two Marked Border Patrol Vehicles were waiting and began to follow him. At this time Agent One activated his emergency equipment consisting of lights and siren to execute a vehicle stop. The black F150 immediately slowed down and pulled to the side of the road at approximately the four mile marker of I-10. Agent One radioed 892 with the location, and vehicle information to notify them of the vehicle stop. Agent One approached the driver's side of the vehicle while Supervisory Border Patrol Agent (SBPA) Three approached the passenger side. The driver had his window rolled down approximately one quarter of the way from the top. Agent One identified himself as a United States Border Patrol Agent and asked the driver to roll the window down completely, which he did. Agent One then asked the driver to roll down the passenger window, which he also did. As soon as the passenger window was down Agent One could see more than just the two individuals he initially noticed concealing themselves in the floor of the back seat. Agent One heard SBPA Three question one of the subjects in the back seat as to his citizenship, the subject stated that he was a Mexican national. SBPA Three asked if he had any immigration documents that would allow him to be in the United States, he said he did not. Agent One then questioned the driver later identified as DOMINGO-Salvador, Saul as to his immigration status. He also admitted to being a Mexican National and in the United States illegally. Agent One escorted the driver out of the vehicle, searched him and secured him in the back of his assigned unit K34779. Agents Two and Three were escorting the other individuals out of the truck. They questioned each passenger as to their citizenship, to which all seven individuals admitted to being illegally present in the United States. Sector radio arranged for the black F150 to be towed to the Lordsburg Border Patrol Station. All seven subjects and the driver were transported to the Lordsburg Border Patrol Station for further questioning and processing.

The following is a written synopsis of the sworn statement made by DOMINGO at the Lordsburg Border Patrol Station in Lordsburg, New Mexico. DOMINGO was read his Administrative Rights via government form ICE Form 73-025 in the Spanish Language by BPA Four and witnessed by HSI Special Agent Five. The statement of rights was provided to DOMINGO who waived his rights and was willing to provide a statement and answer questions without the presence of an attorney.

DOMINGO stated that he has lived in Santa Maria, California for the last two years working in agriculture but is originally from Mexico. DOMINGO stated that he left Santa Maria, California on 09/28/2019 at about 08:00 a.m., and went to Phoenix. DOMINGO stated that he arrived in Phoenix at about 05:00 p.m., and had a burger at McDonalds. DOMINGO states the only reason he left California was that he wanted to go on a drive. DOMINGO then changed his sworn

statement after questioning him why would he drive hundreds of miles to take a drive. DOMINGO then provided the following statement. DOMINGO stated that his phone number was kept by the original smugglers that he used when he was smuggled into the U.S. two years ago. DOMINGO stated that since his brother was trying to get into the country illegally and that they reached out to him in order to help with his brothers smuggling fee. DOMINGO stated he was not offered money, but if he successfully picked up the group and dropped them off, they would then illegally cross his brother and provide him a payment plan for \$8,000.00, as opposed to being required to having the money up front. DOMINGO was having issues with his cellular service staying connected in order to use his maps but he plugged in the "SEPAR" location and had G.P.S service guiding him there from a location east of Tucson, Arizona. DOMINGO stated that he knew that the subjects he was picking up were in the country illegally. DOMINGO was questioned about a phone that was wiped clean that was in the center console of the vehicle, he states that the money (\$2.55), the phone, or the small amount of personal use methamphetamine was not his. He states he does not know how it got there and was not in the vehicle when the seven subjects got in. The following interview concluded at 11:44 a.m.

**Continuation of Statutory Language:**



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Signature of Judicial Officer



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Signature of Complainant

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Thurnherr, Justin

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Filing Agent